

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, September 1, 2010, at 1:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present:	Councilmember Adrean, Chair	Roosevelt Council, Acting CFO
	Councilmember Felicia A. Moore	Departmental Staff
	Councilmember C.T. Martin	
	Councilmember Alex Wan	
	Councilmember Howard Shook	
	Councilmember H. Lamar Willis	

Absent: Councilmember Aaron Watson

Chairperson Adrean called the meeting to order at 1:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C. T. Martin, Alex Wan, Howard Shook and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with two Walk-Ins. Chairperson Adrean offered a motion to **accept the Walk-In Papers, 5 Years**. The minutes of the Finance/Executive Committee July 28, 2010 and July 14, 2010 meetings were adopted as well.

PRESENTATION

Mr. Gary Donaldson: Director of the Office of Revenue addressed the Committee by stating that there are a couple of items such as building permits, which have declined by 8.8%. Sales Tax is another item that we are looking at, which has declined at 7.4%. We are looking at a five year collection trend. Chairperson Adrean stated that the news is not what we would like. This report does not help us see the trend. What direction are we going in? Mr. Donaldson responded that it is improving. We have collected \$111 million dollars in Sales Tax. We have a report that we will provide for the four years of forecasting. Chairperson Adrean asked if it is down from June. Mr. Donaldson responded that it is trending in the right direction. We are trying to meet the anticipations. Chairperson Adrean stated that the monthly Sales Tax is significant. Mr. Donaldson responded it is a significant driver. Councilmember Willis asked about alcohol sales. Our report shows a \$250,000 variance. Mr. Donaldson responded that when it is compared to the budget, yes. It will pick up when we hit the end of the year renewals. Councilmember Willis stated that we collect on a 3% Excise Tax. Mr.

Donaldson responded that we let them know that they will be audited. Councilmember Willis stated that it is against the law to give away alcohol. We should estimate how much they utilize. You can always allow for shrinkage. We have to calculate in a more systematic way. If we don't account for it, we won't know. We need to be more aggressive. Acting CFO Council asked if you are looking for inventory. Councilmember Wan asked about the General Business License Variance. Why are the July projections high? Mr. Donaldson responded that some of it is attributed to applications from new businesses. Councilmember Wan stated that should be another indicator of what the economy is doing. Mr. Donaldson responded that we had a new fee increase as well. Councilmember Wan stated that he expected it to be low for the next six months. Mr. Donaldson responded that we don't have as many businesses. Chairperson Adrean asked for indicators to show where our economy is going. The actuals is above the accruals. Mr. Donaldson responded that the hotels report on a monthly basis. Chairperson Adrean asked if it is a straight line. Mr. Donaldson responded that it is with the previous five years. The second column is the average for five years. Chairperson Adrean stated that it is prudent to get the numbers for the hotels. If we don't have the track line going forward, we won't know. Mr. Donaldson responded that he would do a four-year trend. Councilmember Moore asked where did we end in June revenues. Mr. Donaldson responded that on a cash basis, we anticipated \$541 million dollars and received \$559 million dollars. The reconciliation is part of the financial accrual. Most of the over collection was in the Property Taxes line. Councilmember Moore asked what was the expenditure? Acting CFO Council responded that it was \$557 million dollars in revenue and \$494 million dollars in actual expenditure. We are in the sixty-day accrual phase. Councilmember Moore asked about the Public Utility Franchise. Mr. Donaldson responded that Georgia Power makes up that line item. It is \$27 million dollars and should be in the public utility line. The check comes in January. Councilmember Moore asked if we will meet the \$7.7 million dollars in conservative construction in building permits. Mr. Donaldson responded that we will monitor it for three months because it is way down from last year. If not, he would add another column. Councilmember Moore asked about the public utility. Mr. Donaldson

responded that it is the component Fulton County collects. Councilmember Moore asked about current year Property Taxes. Are our projections in line? Chairperson Adrean stated that there is a Temporary Order. Mr. Donaldson responded that we will meet the \$45 million dollars anticipations. Councilmember Moore stated that she is concerned with the dramatic decrease. Mr. Donaldson responded that the third page addresses that. We have been meeting with the Tax Digesters. The Maintenance and Operations Digest for Residential is the 6% decline. Commercial has shown increases. The decline in the Digest has been in residential. There is another wave in respect to commercial. It is his recommendation to reduce that line for FY11. We budgeted at 94% and collected at 98%. We were told a year ago 5% and they are billing on 5%. Chairperson Adrean asked about the changes in State Laws that has impacted our collection. Mr. Donaldson responded that the Tax Assessor's Office has done fair market values and made sure that they do not over assess. They need to take into consideration the sale prices. We have a consolidated sheet of all of the properties. Chairperson Adrean asked if you can now use foreclosed properties for assessments. This Digest is under a Temporary Collection Order. Mr. Donaldson responded that we are under it because the appeals have to be under 5%. The 2008 Digest has been approved and 2009 is in the process. Chairperson Adrean asked what area of commercial and residential properties are under appeals. Mr. Donaldson responded the appeals are under 8%. Councilmember Wan asked if the 2010 numbers are under the State Law. Mr. Donaldson responded yes. Chairperson Adrean asked how often do you get reports from the Tax Assessor. Mr. Donaldson responded monthly. Councilmember Moore asked about water bills. Acting CFO Council responded that there is a large spike. In January we noticed that we had exceeded the anticipated amount. It rose from 4.6% to 8.6%. We went to the Department of Watershed Management for a projection and it was reflected in the budget of \$5.4 million dollars. We may not have budgeted enough. Councilmember Moore asked how do we resolve it. Acting CFO Council responded that the Administration is working with the Department Watershed Management for the billing. They have not finished the assessment. Councilmember Moore stated that this has gone on for months. If the meters are stating that we need

more money, it is going to be more money. How do we make the adjustments? Acting CFO Council responded that with any expense we would have to manage it during our monthly budget meetings. We will start the process very early. Chairperson Adrean stated that it sounds like you are negotiating the bill. Acting CFO Council stated that he is asking how could a meter have such an increase? Councilmember Moore stated that we need to pay the bill or fix the meter. Acting CFO Council responded that we are trying to get utilization numbers. Councilmember Moore stated that the citizens want it right. There is an inequity. We don't want to get in the situation of not paying our water bills. Chairperson Adrean stated that we have a meeting scheduled for the high water bills. Councilmember Moore asked if this was placed on the City Utilities Committee Meeting Agenda for the City's Water Bills. She wants to know what has the bills been and how much has been paid.

CONSENT AGENDA

TO AMEND THE 2011 (INTERGOVERNMENTAL GRANT FUND) BUDGET

- 10-O-1553 (1) An Ordinance by Finance/Executive Committee amending the 2011 (Intergovernmental Grant Fund) Budget by adding to Anticipations and Appropriations Metropolitan Atlanta Rapid Transit Authority ("MARTA") Local Funds on behalf of the Department of Public Works, for Transportation Improvement Projects around MARTA Stations in the amount of seven million six hundred forty nine thousand six hundred eighty dollars (\$7,649,680.00); and for other purposes.

FAVORABLE ON FIRST READ

TO CORRECT ORDINANCE 10-O-0473

- 10-O-1554 (2) An Ordinance by Finance/Executive Committee to correct Ordinance 10-O-0473, adopted by the Atlanta City Council on April 19, 2010 and approved by the Mayor on April 27, 2010, to clarify certain inconsistencies; and for other purposes.

FAVORABLE ON FIRST READ

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

- 10-O-1555 (3) An Ordinance by Finance/Executive Committee authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor on behalf of the City of Atlanta ("City"), to negotiate for and to purchase one approximately 0.30 acre parcel of property located at 3382 Delmar Lane from the Conservation Fund or current land owner ("The Property"), for the purpose of expanding the existing Old Adamsville Park ("Park"), in an amount not to exceed ninety

thousand dollars (\$90,000.00), the City's purchase price, closing costs, due diligence, demolition, and development costs shall be paid from Impact Fee West 14201997 (Project), 104 (Task), 350291107 (Award), 541001 (Expense Type Land), Organization City of Atlanta, and amending the 2010 General Government Capital Outlay Fund Budget Department of Planning and Community Development by transferring between Accounts the sum of ninety thousand dollars (\$90,000.00); and for other purposes.

FAVORABLE ON FIRST READ

TO AUTHORIZE THE CREATION OF THE CAPITAL ASSET-FINANCE FUND

- 10-O-1556 (4) An Ordinance by Finance/Executive Committee to authorize the creation of the Capital Asset-Finance Fund to record the purchase and financing of the equipment under the Georgia Municipal Association, Inc. for lease pool, to authorize the Chief Financial Officer to amend the FY 2011 Budget by adding to Anticipations and Appropriations in the amount of \$15,081,517 to be used for the acquisition of equipment for various Departments within the City of Atlanta pursuant to the 1998A Master Lease and Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc.; and for other purposes.

FAVORABLE ON FIRST READ

TO AMEND THE FISCAL YEAR 2011 ATLANTIC STATION FUND BUDGET

- 10-O-1557 (5) An Ordinance by Finance/Executive Committee to amend the Fiscal Year 2011 Atlantic Station Fund Budget by anticipating interest earnings and appropriating Funds from motor equipment and design of the total amount of \$508,498.50 to the Construction Fund to pay additional construction costs for the Atlantic Station Fire Station ("Fire Station Number 11"); and for other purposes.

FAVORABLE ON FIRST READ

TO AMENDING THE 2011 (GENERAL FUND) BUDGET

- 10-O-1570 (6) An Ordinance by Finance/Executive Committee amending the 2011 (General Fund) Budget, transferring funds from Council Districts 2 and 11 and Post 2 At-Large to the Jim Maddox Retirement Trust Fund Account; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

REGULAR

TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SUBDIVISION 1

- 10-O-1407 (1) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article II, Division 2, Subdivision I, Section 10-60(A)(2)(C), to correct the fee for a license for retail dealer of beer to be consumed on or off the premises of the dealer which was incorrectly increased from \$2,362.50 to \$4,000.00 due to a

scrivener error in Ordinance Number 10-O-0900, rather than from \$2,362.50 to \$2,500.00; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO AMEND THE 2011 (INTERGOVERNMENTAL GRANT FUND BUDGET,

10-O-1408 (2) An Ordinance by Finance/Executive Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Department of Executive Offices, by adding to Anticipations and Appropriations in the amount of \$1,200,000.00 for a Grant Award from the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant to be used to fund the Sustainable Home Initiative in a new Economy Program; and for other purposes.

FAVORABLE ON SUBSTITUTE

Chairperson Adrean stated that we have a Substitute.

Mr. Bills Hopkins: of the Mayor's Office of Sustainability addressed the Committee by stating that we will receive funds from the efficiency alliance. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas.**

TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS

10-O-1464 (3) An Ordinance by Councilmember Carla Smith authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, allowing the City to contractually exercise its amendment options on an expired contract in order to enter into Amendment Agreement No. 2 with Public Facilities & Services, Inc. for FC-6006007903, design, fabrication, and installation of automatic public toilets, in an amount not to exceed one hundred fifty six thousand seven hundred fifty dollars (\$156,750.00) with all contract work being charged to and paid from FDOA: 1001 (General Fund) 130302 (DPW Traffic Engineering) 5222002 (Repair & Maintenance) 427000 (Traffic Engineering); and for other purposes.

FAVORABLE

Councilmember Smith stated that this contract is for the public toilets. We accepted money from the Atlanta Development Authority and the contract expired July 31st. We need to treat this as a Sole Source in order for the warranty to stay in place for two years. This is continued for another year. Councilmember Wan offered a motion to **Approve, 6 Yeas.**

TO TRANSFER FUNDS FROM THE DISTRICT 8 COUNCILMEMBER EXPENSE ACCOUNT TO PARK PRIDE

10-O-1470 (4) An Ordinance by Councilmember Yolanda Adrean transferring funds from the District 8 Councilmember Expense Account to Park Pride on behalf of the Ardmore Park Neighborhood to assist in tree plantings for Ardmore Park; and for other purposes.

FAVORABLE

Councilmember Wan offered a motion to **Approve, 6 Yeas.**

TO ISSUE A REFUND TO DEVGIRL EXPORTS, LLC

10-R-1558 (1) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Devgiri Exports, LLC. for an overpayment of Business License Fees in the amount of eleven thousand three hundred twenty-seven dollars and zero cents (\$11,327.00); all Funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated), Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Moore asked how do we avoid these overpayments. Mr. Donaldson stated that it is through the Accounts Payable Office. A lot of business addresses change or we may receive two checks. Councilmember Moore asked how do they know? Mr. Donaldson responded that they send us a claim letter. We verify the amount and the process begins and the statute of limitations is 36 months. Councilmember Moore asked if they underpaid. Mr. Donaldson responded that we do audit the accounts. Councilmember Moore asked where are we with the outside firm and how many businesses have you found without business licenses. Mr. Donaldson responded that we are still verifying what the Collections Company is doing. We will give an update. Chairperson Adrean stated that we will add the business license audit to the Agenda. Mr. Donaldson responded that it is consistent with what we were doing already. We had 500 to 1000 businesses in one year. Councilmember Moore asked for a performance report and the ability to get them to pay. Mr. Donaldson responded that it was 900, but some of them were duplicates. Chairperson Adrean asked if business licenses were linked with sales tax. Mr. Donaldson responded that we are working with the State. They have had issues with their information technology. We are banking on that new element. Addresses don't work to get a match. He then stated that we are

working with the State and Fulton County prerequisites. Councilmember Moore asked if we have had any turnarounds. Mr. Donaldson responded that he would provide the information. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ISSUE A REFUND TO BEARINGPOINT, INC.

10-R-1559 (2) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Bearingpoint, Inc. for an overpayment of Business License Fees in the amount of seventy-seven thousand nine hundred fourteen dollars and sixty-three cents (\$77,914.63); all Funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated), Citywide Employee Expenses) 5770012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ISSUE A REFUND TO THE ALLISON-SMITH COMPANY

10-R-1560 (3) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to the Allison-Smith Company, for an overpayment of Business License Fees in the amount of sixty-three thousand two hundred seventy-five dollars and thirty-four cents (\$63,275.34); all Funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated, Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ISSUE A REFUND TO WALKER NORRIS CAPITAL PARTNERS III, INC.

10-R-1561 (4) A Resolution by Finance/Executive Committee authorizing the Chief Financial Officer to issue a refund to Walker Norris Capital Partners III, Inc. for an overpayment of Business License Fees in the amount of eleven thousand six hundred ninety-six dollars and seventy-seven cents (\$11,696.77); all Funds to be charged to and paid from Fund, Department Organization and Account Number 1001 (General Fund) 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-1562 (5) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing General Services

Administration Contract Number GS-35F-4984H with International Business Machines Corporation, for the purchase of Mainframe Application Hosting on behalf of the City of Atlanta Department of Information Technology, in an amount not to exceed one million, six hundred sixty-eight thousand, five hundred sixteen dollars and no cents (\$1,668,516.00) per year for two years beginning October 11, 2010 through October 10, 2012; all contracted work shall be charged to and paid from 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information System); and for other purposes.

FAVORABLE

Mr. Michael Dogan: Deputy Chief of the Department of Information Technology addressed the Committee by stating that we are asking for a two year renewal.

Councilmember Wan offered a motion to **Approve, 6 Yeas.**

TO EXECUTE RENEWAL OPTION NUMBER ONE (1) OF THE KRONOS INCORPORATED TIME AND ATTENDANCE SYSTEM MAINTENANCE AND SUPPORT AGREEMENT

10-R-1563 (6) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee, pursuant to Atlanta City Code Article X, Procurement and Real Estate Code; to execute renewal option number one (1) of the Kronos Incorporated Time and Attendance System Maintenance and Support Agreement from October 27, 2010 to July 28, 2011 in an amount not to exceed one hundred twenty-five thousand, one hundred fifty-nine dollars and seven cents (\$125,159.07), all Funds to be charged to and paid from Fund, Department, Organization and Account Numbers 1001 (General Fund) 050202 (IT Applications) 5213001 (Consulting/Professional Services) 1535000 (Data Processing/Management Information Systems); and for other purposes.

FAVORABLE

Mr. Dogan stated that this is for software maintenance for the ERP system. We currently use tele-time, swipe cards, etc. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO EXECUTE RENEWAL OPTION NUMBER ONE (1) WITH JAMES W. SEWALL COMPANY

10-R-1564 (7) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to execute renewal option number one (1) with James W. Sewall Company pursuant to Atlanta City Code Article X, Section 2-1191.1 Special Procurements, for Geoserver Dispatching Support, for nine (9) months beginning October 1, 2010 on behalf of the Department of Information Technology, in an amount not to exceed seventy-five thousand dollars and no cents (\$75,000.00), to be charged to and paid from FDOA Number 2151 (Emergency Telephone System) 240207 (APD-E911)

5213001 (Consulting/Professional Services – Technical) 3800000 (E911); and for other purposes.

FAVORABLE

Mr. Dogan stated that this is for the Emergency-911 system. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO EXECUTE AN APPROPRIATE CONTRACTUAL AGREEMENT WITH HANSEN INFORMATION TECHNOLOGIES

10-R-1565 (8) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an Appropriate Contractual Agreement with Hansen Information Technologies, a subsidiary of Infor Global Solutions for the purpose of providing a Software Maintenance and Support Agreement for the Hansen 7.7 System, on behalf of the Department of Watershed Management, in an amount not to exceed two hundred seventy thousand fifty-five dollars and seventy-four cents (\$270,055.74); all contracted work shall be charged to and paid from Fund, Department Organization and Account Number 5051 (Water & Wastewater Revenue 170113 (DWM-Information Systems) 5213001 (Consulting/Professional) 1535000 (Data Processing); and for other purposes.

FAVORABLE

Mr. Keith Plummer: of the Department of Watershed Management addressed the Committee by stating that this is a renewal for Hansen. We have had the application for 15 years and have done it a number of times. Councilmember Martin offered a motion to **Approve, 6 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-1566 (9) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with Dell Marketing, LP, utilizing the State of Georgia Contract #SWC-O70764, in an amount not to exceed \$824,587.11 over a three year period; to be charged to and paid from FDOA Fund 5501 Airport Operating Revenue, Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services) Technical), Functional Activity 7563000 (Airport); and for other purposes.

FILE

Mr. Robert Kennedy: Acting General Manager of the Department of Aviation addressed the Committee by stating that we want to File because we did a reevaluation and think that there is a better solution. Councilmember Moore offered a motion to **File, 6 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

- 10-R-1567 (10) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with DLT Solutions, Inc, utilizing the State of Georgia Contract #GS-35F-4543G in an amount not to exceed \$33,887.72; to be charged to and paid from FDOA 5501 Airport Operating Revenue, Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consult/Professional Services Technical), Functional Activity 7563000 (Airport); and for other purposes.

FILE

Councilmember Martin offered a motion to **File, 6 Yeas.**

TO EXECUTE CHANGE ORDER NO. 3 FOR CONTRACT NO. FC-3005007892

- 10-R-1568 (11) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Change Order No. 3 for Contract No. FC-3005007892, Airfield Recycled Materials with Stephens MDS, LP and the Lions Group, Inc., a Joint Venture, on behalf of the Department of Aviation, in the amount of \$203,598,64, to settle all outstanding contract claims, the settlement will be charged to and paid from PTAE0 18100301 (Airfield-General Improvements) 104 (Task) 550591336 (DOA PFC Revenue 96AA) 5414002 (Facilities/ Other Than Bldgs) and FDOA 5505 (Airport Passenger Facility Charge Fund) 180201 (DOA Aviation Capital Planning & Development) 5414002 (Facilities Other Than Bldgs) 7563000 (Airport) 100301 (Airfield-General Improvements) 91336 (DOA PFC Revenue 96AA).

FAVORABLE

Councilmember Moore offered a motion to **Approve, 6 Yeas.** Mr. Kennedy stated in 2008 the contractor submitted an invoice and we denied it. The Judge ordered a settlement.

TO UTILIZE GSA CONTRACT NUMBER GS-07F-0468-V

- 10-R-1569 (12) A Resolution by Finance/Executive Committee authorizing the Chief Procurement Officer to utilize GSA Contract Number GS-07F-0468-V, which compasses GSA-FEEL/Upgrade 1st Vehicle-SUV), GSA-90-69000-0 (scheduled preventative maintenance, checks, and service for 3 years – SUV), and GSA-0280051-0 (Harris Wireless Tracking Platform including components and training SR2, portable equipment and accessories, and annual maintenance costs – Harris Equipment – for 3 years), to purchase a wireless tracking vehicle, on behalf of the Department of Police (“Department”), in an amount not to exceed six hundred eighty four thousand, five hundred sixty nine dollars and thirty three cents (\$684,569.33), all costs shall be charged to and paid from a Grant from the United States Department of Justice, fourteen thousand, five hundred and eight dollars (\$14,508) shall be charged to and paid from 2501 (Intergovernmental Grant Fund); 240101 (General Ledger Department; and Chief of Police; 5422003 (Expense Account; Vehicles \$5,000+); 1320000

(Function Activity Number; Chief Executive); 31839 (General Ledger Project: 2007 JAG); 210009 (General Leger Funding Source: 2007 JAG); and six hundred seventy thousand sixty-one dollars and thirty-three cents (\$670,061.33) shall be charged to and paid from 2501 (Intergovernmental Grant Fund); 24001 (General Leger Department: APD Chief of Police: 5421003 (Expense Account: Equipment \$5,000+); 1320000 (Function Activity Number: Chief Executive); 31839 (General Ledger Project: 2007 JAG); 210009 (General Ledger Funding Source: 2007 JAG); and for other purposes.

FAVORABLE

Deputy Chief Shaun Jones: of the Police Department, Support Services Division addressed the Committee by stating that this is for storage. It will reduce our dependency on the federal government. Councilmember Moore asked if there is a match. Deputy Chief Jones responded no. Councilmember Moore asked about the 2007 Justice Assistance Grant reduction. Mr. Jones responded that we pool from other Grants so we didn't lose the funds. Councilmember Moore asked how much more is there lying around. She wants the status of the Grants. Deputy Chief Jones responded that Homeland runs behind in receiving the Grants. Councilmember Moore asked what other Grants are not expended as well as those outstanding with a match. Deputy Chief Jones responded that we don't intend to lose any of the money. This vehicle is for tracking cell phones, etc. in the Homeland Security area. Councilmember Willis asked if the monitoring is divertive. Deputy Chief Jones responded that it will be consistent with the law. Councilmember Willis stated that there are some things that are not consistent with the law. Deputy Chief Jones responded that under the Patriot Act it would be terroristic. Councilmember Martin stated that they have been borrowing from Homeland Security and nothing is going to change with what they are currently doing. Councilmember Willis stated that means that there is an investigation already taking place. The Patriot Act allows tapping into people's phone calls. He understands why it is in place. To hear people's phone calls concerns him. Deputy Chief Jones responded that it is for tracking calls. Councilmember Willis stated that he has concerns with tapping into people's personal business period. He understands that it is already being done. Deputy Chief Jones responded that he cannot talk about it because it is Homeland Security. Councilmember Martin stated that here it talks about homicide, child abduction, etc. The technology is classified information. We shouldn't turn down

the opportunity to have a piece of equipment like this. He wants every piece of equipment available. He feels the same way about the Patriot Act. He has been pushing for this Department for a long time. He wants them to eventually get four of them for each quadrant of the City. Councilmember Moore stated that a Court Order has to be acquired. Councilmember Willis stated that there a lot of times when the legislation says something and the Department does something else. He wants to know that their intentions are correct. The Law is broad in this regard. Chairperson Adrean asked for comments on the training. Deputy Chief Jones responded that there is training. Councilmember Moore offered a motion to **Approve, 5 Yeas, 1 Abstention.**

TO GRANT AMNESTY ON LATE FEES, PENALTIES AND INTEREST

10-O-0401 (1) An Ordinance by Councilmember C.T. Martin to grant amnesty on late fees, penalties and interest for unpaid parking tickets; to provide that no additional fees, penalties or interest shall be assessed against the obligor for late payments; to repeal conflicting Ordinances; and for other purposes. **(Held, 2/24/10)**

FILE

Councilmember Martin stated that he is Filing because the Law Department stated that the Courts have a mechanism already in place. Councilmember Martin offered a motion to **File, 6 Yeas.**

TO TRANSFER THE PROPERTY LOCATED AT 695 PONCE DE LEON AVE, N.E.

10-O-0502 (2) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor to transfer the property located at 695 Ponce De Leon Ave, N.E. also known as City Hall East to the Atlanta Development Authority; to authorize the transfer of the contracts associated with the property; to authorize the Mayor to execute a Quitclaim Deed transferring the property to the Atlanta Development Authority upon the closing of the property; and for other properties. **(Held, 3/10/10)**

HELD

TO AMEND AND RESTATE THE FOURTEENTH SUPPLEMENTAL BOND ORDINANCE OF THE CITY OF ATLANTA

10-O-0599 (3) An Ordinance amending and restating the Fourteenth Supplemental Bond Ordinance of the City of Atlanta adopted on July 6, 2009 (09-O-1099) as amended by a First Amendment to Fourteenth Supplemental Bond Ordinance adopted on September 8, 2009 all of which provides for the supplementing of the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2000 (99-O-1896), as previously amended and supplemented; to provide for the issuance of Airport General Revenue Bonds, Series 2010A (The "Series 2010A Bonds"), and to provide for the issuance of Airport Passenger

Facility Charge and Subordinate Lien General Revenue Bonds, Series 2010B (The Series 2010B Bonds” together with the Series 2010A Bonds, the “Series 2010A/B Bonds”), in the combined aggregate principal amount of not to exceed \$800,000,000; to provide funds to finance or refinance, in whole or in part, the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport, including certain capitalized interest during construction, to provide for a reasonably required Debt Service Reserve, and to pay expenses relating thereto; to authorize and approve the preparation, use and distribution of an Official Statement in connection with the offer and sale of the Bonds; granting the Mayor the authority to deem final the Preliminary Official Statement for purposes of Securities and Exchange Commission Rule 15c2-12; granting the Mayor the authority to approve and execute a Final Official Statement; approving the forms of a continuing Disclosure Agreement, a Bond Purchase Agreement, and certain other Agreements in connection with said Bonds; authorizing the conduct of a Public Hearing as required by Internal Revenue Code Section 147(f), the negotiation and purchase of Municipal Bond Insurance and the selection of a Bond Insurer with respect to all or a portion of said Bonds, if determined to be in the best interest of the City, designating a Paying Agent and Bond Registrar; to provide for the form of the Bonds and for the execution of the Bonds; to provide for the place of payment of the principal of and interest on the Bonds; to amend the Debt Service Reserve requirement for Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND ARTICLE VII DIVISION II OF CHAPTER II OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA

- 10-O-0774 (4) An Ordinance by Councilmembers H. Lamar Willis and Alex Wan to amend Article VII Division II of Chapter II of the Code of Ordinances of the City of Atlanta so as to provide that it shall be unlawful for any City Officer or Employee to knowingly and willfully withhold information, make false or misleading statements or to give untrue testimony before any of its standing Committees; to provide that any Officer or Employee who is found to have violated this Provision shall be dismissed from the employ of the City; and for other purposes. **(Held, 4/28/10)**

HELD

TO AMEND THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA CHAPTER 114 (PERSONNEL)

- 10-O-0788 (5) An Ordinance by Councilmembers Ivory Lee Young, Jr. and Joyce Sheperd to amend the Code of Ordinances, City of Atlanta, Georgia Chapter 114 (Personnel), Article II (Compensation, Payroll Deductions and Charitable Contributions) and Division 1 (Generally), Section 114-28 (Deduction of Labor Organizations Dues from Salaries). **(Held, 4/28/10)**

HELD

TO AMEND CHAPTER 114, ARTICLE IV, DIVISION 12, SECTION 114-379 OF THE CITY OF ATLANTA CODE OF ORDINANCES

10-O-0874 (6) An Ordinance by Finance/Executive Committee amending Chapter 114, Article IV, Division 12, Section 114-379 of the City of Atlanta Code of Ordinances entitled "Layoff or Reduction In Force" so as to provide for the use of the Veterans Preference authorized by Section 114-207 during the calculation of retention points; and for other purposes. **(Held, 6/2/10)**

HELD

TO EXECUTE RENEWAL AGREEMENT NUMBER 2, FC-7665-04A CITYWIDE JANITORIAL SERVICES

10-R-0881 (7) A Resolution by Finance/Executive Committee authorizing the Mayor to execute Renewal Agreement Number 2, FC-7665-04A Citywide Janitorial Services, between the City of Atlanta and A-Action Janitorial Inc. on behalf of the Executive Offices-Office of Enterprise Assets Management to include the sites and funding for the Office of Enterprise Assets Management, Department of Police, the Department of Watershed Management and the Department of Public Works-Office of Transportation, the total contract not to exceed amount is one million sixty-three thousand, four hundred eighty-three dollars and eight cents (\$1,063,483.08); funds to be encumbered in fiscal year 2011 pending budget approval. All contracted work shall be charged to and paid from the below referenced accounts. **(Held, 5/12/10)**

HELD

Councilmember Martin asked if this paper is continuing to be Held because some Departments have complaints about this company. The Administration was to work with the Departments of Police and Watershed Management.

Mr. Larry Riddle: Director of the Office of Enterprise Asset Management (OEAM) addressed the Committee by stating that in the Briefing we were to look at the locations. We went to Zone 1 and Zone 4 and did an assessment. In Zone 1 there were some detailed concerns and Zone 4 have some real concerns. Councilmember Martin asked who cleans the Fire Department. Mr. Riddle responded that they are not under the Janitorial contract. It comes under the Police Department (Anthony Distephano). Councilmember Martin stated that Zone 4 does not know, so you need to e-mail the information to them. If they need support Mr. Distephano will contact us. Councilmember Martin asked if there are forms left to be filled out. Mr. Riddle responded that there are evaluation forms that OEAM uses. Councilmember Martin asked if Zone 4 already have the forms. Mr. Riddle responded no. Councilmember Martin stated that all we have is damage control. Mr. Riddle responded that some

Departments are not reporting, but Zone 1's report failed on general cleanliness. We need to have a serious conversation. There were also concerns with the supplier. Zone 4 is in bad shape as far as the building. OEAM and Procurement did not have any concerns that were addressed to us. This company opted out of the City-wide contract. We only surveyed only these two Zones. Councilmember Martin stated that is not complete work. If you are not cleaning floors, it will create rodents. Before I told you about the two Zones, you were ready to execute this contract. Mr. Riddle responded that we asked the other Zones if there were additional concerns. Councilmember Martin asked if this paper will be Held. Mr. Riddle responded that the work at Zone 4 has been resolved. Councilmember Martin stated that we depend on information coming from other Departments. He does not want the Police Officers monitoring the buildings. Who does the cleaning for all of the facilities? Mr. Riddle responded A-Action. There is no indication that this supplier was not performing to part. Councilmember Martin stated that we are going over the expenses. Mr. Riddle responded that he has gotten good reports from two Departments. Councilmember Willis stated that he recommends that Councilmember Martin's concerns get back to the vendor and let the vendor defend themselves. Councilmember Martin asked for the numbers as well as the 45 cents per square foot cost. Make sure that all of the facilities have the check list. Councilmember Moore stated that she is not impressed. Is there similar information for each Department? Mr. Riddle responded that he would provide the information. The Departments themselves rate the contractor. He will get the information across the board. Councilmember Moore asked how long is this amendment for? Mr. Riddle responded that this is the last year for the three-year contract. We have already bidded it, but will bid again to see what the pricing is. Chairperson Adrean asked why would they perform well if they are not going to get the contract anyway. What is the incentive? Is there an opt out clause? Mr. Riddle responded that he would find out. Councilmember Moore stated that the next time there needs to be a better presentation.

TO AMEND SECTION 6-637 (C) AND 6-637 (D) OF THE 1978 PENSION ACT

10-O-0906 (8)

An Ordinance by Finance/Executive Committee to amend Section 6-637 (c) and 6-637 (d) of the 1978 Pension Act (Related Laws) of

the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Firefighters Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-222 (C) AND 6-222 (D) OF THE 1978 PENSION ACT

- 10-O-0908 (9) An Ordinance by Finance/Executive Committee to amend Section 6-222 (c) and 6-222 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide New and Non-Vested Members having less than ten (10) years of Creditable Service in the Police Officers Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent 100% CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO AMEND SECTION 6-37 (C) AND 6-37 (D) OF THE 1978 PENSION ACT

- 10-O-0910 (10) An Ordinance by Finance/Executive Committee to amend Section 6-37 (c) and 6-37 (d) of the 1978 Pension Act (Related Laws) of the Code of Ordinances of the City of Atlanta so as to provide Members of the General Employees Pension Fund, a fifteen (15) year vesting schedule, two percent (2%) Multiplier for all Creditable Years of service, one hundred percent (100%) CAP of Average Earnings, to repeal conflicting ordinances; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

- 10-R-0944 (11) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1604 et. seq. of the City of Atlanta Code of Ordinances, utilizing the United States of America GSA Schedule #GS-35F-0111K, Software House International (Principal Decision Systems International (PDSI) Tele Staff Workforce Management) in an amount not to exceed sixty nine thousand one hundred seven and ninety five cents (\$69,107.95). All contracted work to be charged and paid from PTAE0 (P) 19200769, (A) 770191491 (T) 109 (E) 5213001 (O) COA; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO A MEMORANDUM OF UNDERSTANDING

- 10-R-1046 (12) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Memorandum of Understanding with the Southeast Energy Efficiency Alliance for the installation of donated wind turbine, utilizing funds from the U.S. Department of Energy's Energy Efficiency and Conservation Block Grant in

the amount of \$15,000.00; and for other purposes. **(Held, 6/2/10)**

HELD

TO ENTER INTO AN INMATE AGREEMENT

10-R-1153 (13) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor of the City of Atlanta to enter into an Inmate Agreement with the South Fulton Municipal Regional Jail Authority (The “Authority”) for the purpose of Housing Persons charged with or sentenced for a violation of the City of Atlanta Code of Ordinances in the facility operated by the Authority; and for other purposes. **(Referred back by Full Council, 7/6/10); (Held, 7/14/10)**

HELD

TO PROVIDE FOR THE ANNEXATION OF PROPERTY LOCATED AT 418 MORGAN PLACE, S.E.

10-O-1169 (14) An Ordinance by Councilmembers Natalyn Archibong and Aaron Watson to provide for the annexation of property located at 418 Morgan Place, S.E., Atlanta, Georgia to the corporate limits of the City of Atlanta, Georgia pursuant to the 100% method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such annexation; and for other purposes. **(Held, 6/16/10)**

HELD

TO APPOINT JOYA C. DEFOOR TO SERVE AS THE CHIEF FINANCIAL OFFICER (CFO)

10-C-1364 (15) A Communication by Mayor Kasim Reed appointing Joya C. DeFoor to serve as the Chief Financial Officer (CFO) for the City of Atlanta; effective upon City Council confirmation. **(Held, 7/28/10)**

HELD

Councilmember Moore asked Ms. De Foor to address the public.

Ms. Joya C. De Foor: addressed the Committee by stating that she has a degree in Accounting from the University of Notre Dame. She attended the University of Southern California where she received an Master of Business Administration (MBA) with a major in finance and strategic management. She is a certified treasury professional and a certified government financial manager. She was a Treasurer for the City of Los Angeles, Long Beach and the LA Metropolitan Transit Authority. Her professional affiliations include being the Director for the Government Finance Officers Association of the United States and Canada. She is currently on the Government Relations

Committee and the Conference Planning Committee for the Association of Finance Professionals. She plans to take the City to the next step. Her observation is that Finance needs to do a better job of dual reporting. It is important to give the same information at the same time. She supports the policy makers decisions. She will address a more strategic support of orientation. We need to hold the vendors and contractors more accountable. Councilmember Moore stated that she thinks that she is moving in the right direction. She was focused on what to look for in a CFO. She received positive feedback from the City of Los Angeles. She talked to some people in Long Beach, California. She looks forward to working with Ms. De Foor. She wants her to talk more about dual reporting further. Councilmember Martin stated that he enjoyed the opportunity to chat with you previously. He is concerned about the briefings and interviews from the Administration. Some things were left out. Did they bring up the Five-Year Plan? Ms. De Foor responded that she reviewed the document before her first interview. Councilmember Martin stated that we need an instrument to keep us focused. Based on our financial needs, we have quite a few crisis. You will learn a lot about things that are not discussed. Everyone has a focus point that is meaningful to them. There is concern about raising new revenues. We have over 600,000 people come into our City that do not contribute. We are subsidizing people everyday. The Bonds people keep laughing at us. The people collecting most of the money come from other counties. We need a good forecast to year 2020 beyond the Five Year Plan. We have a pension problem. Until we look at the numbers, we don't know. He then asked what are our total assets? Acting CFO Council responded that it is \$6.5 billion dollars. Councilmember Martin stated that we have had too many CFOs. He hopes that you are here for awhile. He will be supportive. He has been here for twenty years, but it does not mean he knows everything. He likes your spirit. Councilmember Wan stated that he looks for the opportunity to work with you. He hopes that you look for a better way of doing things. Maybe you can bring a new perspective on the pension issues. Councilmember Moore stated that she agrees with Councilmember Wan. She wants you to review some of the City's fiscal policy. Ms. De Foor responded that she has started with the debt management. When she was a

member of the GFOA Executive Board we would pass a temporary board of development and management. It provides a road map of policies and controls. She has shared that information with staff. Councilmember Willis stated that longevity creates the long term way of how we operate. Are you planning on staying for a while? Councilmember Shook stated that he is expressing his optimism by his vote. He is looking forward to working with you. Chairperson Adrean stated that she was surprised that you didn't meet with the Legal Counselors and the Internal Auditor. Ms. De Foor responded that she had several conversations and meetings with Acting City Attorney Peter Andrews. She also spoke with him about managing our risk management. She has not met with the Auditors. Chairperson Adrean stated that the Management Letter promises better controls and resolving issues. She asked about bringing together a consistent policy and management measurement across all funds. Ms. De Foor responded that she has started with the Airport. She had some positive interactions with the Acting General Manager and Aviation's CFO. She has not spoken with Watershed yet. Councilmember Martin offered a motion to **Approve and Forward to Committee on Council, 6 Yeas.**

ITEMS NOT ON AGENDA

TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA

10-R-1577 (1) A Resolution by Finance/Executive Committee authorizing the Mayor of the City of Atlanta along with the Executive Director of the Atlanta Workforce Development Agency ("AWDA") to execute an Intergovernmental Agreement with the Housing Authority of the City of Atlanta, Georgia ("AHA") for the purpose of supporting AHA-Assisted Families in meeting the AHA Catalyst Work Requirement; waiving the Grant Applications Provisions of Section 2-910 of the Atlanta City Code in order to accept Grant Funds not to exceed one million two-hundred fifty thousand (\$1,250,000) dollars over the next five years; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas.** Councilmember Shook stated that someone needs to be here to answer questions. Councilmember Martin stated that Ms. Lum thought the paper was going to CD/HR.

TO AMEND CHAPTER 114, PERSONNEL, ARTICLE "IV", CLASSIFICATION PLAN OF THE CODE OF ORDINANCES, CITY OF ATLANTA, GEORGIA

10-O-1582 (1) An Ordinance by Finance/Executive Committee to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations, reclassifications, above entry authorizations, and position transfers in the Departments of Aviation, Executive Offices, Finance, Fire, Law, Parks-Recreation & Cultural Affairs, Planning & Community Development, Police, Public Works, and Watershed Management and other Personnel Actions in line with the 2011 Budget; and for other purposes.

FAVORABLE ON FIRST READ

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Roosevelt Council, Acting CFO

Charlene Parker
Recording Secretary

"The Department of Finance... because customer service is important to us."